

**Judgment of the Civil Service Tribunal (Second Chamber)  
of 26 June 2013 — Vacca v Commission**

(Case F-116/11) <sup>(1)</sup>

*(Civil service — Open competition — Competition notice  
EPSO/AD/207/11 — Non-admission to the assessment tests  
— Admission tests — Cancellation of questions —  
Information for candidates)*

(2013/C 225/195)

Language of the case: French

**Parties**

*Applicant:* Annalisa Vacca (Luxembourg, Luxembourg) (represented by: A. Salerno, lawyer)

*Defendant:* European Commission (represented by: J. Currall and B. Eggers, agents)

**Re:**

Application to annul the decision not to admit the applicant to the assessment tests in the competition EPSO/AD/207/11.

**Operative part of the judgment**

*The Tribunal:*

1. Orders the European Commission to pay the sum of EUR 500 to Ms Vacca;
2. Dismisses the action as to the remainder;
3. Orders the European Commission to bear its own costs and to pay two thirds of the costs incurred by Ms Vacca;
4. Orders Ms Vacca to bear one third of her own costs.

<sup>(1)</sup> OJ C 25, 28.1.2013, p. 69.

**Order of the Civil Service Tribunal (Second Chamber) of  
28 June 2013 — Marcuccio v Commission**

(Case F-44/11) <sup>(1)</sup>

*(Civil service — Article 34(1) and (6) of the Rules of  
Procedure — Application lodged by fax within the period  
for bringing proceedings, extended on account of distance by  
a period of ten days — Application received by post within  
the following ten days — Applications not the same —  
Action out of time)*

(2013/C 225/196)

Language of the case: Italian

**Parties**

*Applicant:* Luigi Marcuccio (Tricase, Italy) (represented by: G. Cirpressa, lawyer)

*Defendant:* European Commission (represented by: C. Berardis-Kayser and J. Banquero Cruz, Agents, and A. Dal Ferro, lawyer)

**Re:**

Application for an order that the Commission pay a sum by way of compensation for the damage allegedly suffered by the applicant because of the request made by the Commission's Medical Officer to the applicant's doctor for certain information regarding the medical treatment received by the applicant

**Operative part of the order**

1. *The action is dismissed as manifestly inadmissible in part and manifestly unfounded in part.*
2. *Mr Marcuccio is ordered to bear his own cost and to pay the costs incurred by the European Commission.*

<sup>(1)</sup> OJ C 186, 25.6.2011, p. 34.

**Order of the Civil Service Tribunal (First Chamber) of  
28 May 2013 — Marcuccio v Commission**

(Case F-67/11) <sup>(1)</sup>

*(Civil service — Officials — Annulment of the Commission's  
decision — Compliance with the judgment of the Tribunal —  
Damage arising as a result of non-compliance — Conditions  
— Action manifestly lacking any basis in law)*

(2013/C 225/197)

Language of the case: Italian

**Parties**

*Applicant:* Luigi Marcuccio (Tricase, Italy) (represented by: G. Cirpressa, lawyer)

*Defendant:* European Commission (represented by: C. Berardis-Kayser and J. Banquero Cruz, Agents, and A. Dal Ferro, lawyer)

**Re:**

Civil service — Application for annulment of the Commission's decision rejecting the applicant's request relating, first, to compliance on the part of the Commission with paragraph 2 of the operative part of the judgment of the Civil Service Tribunal of 9 June 2010 in Case F-56/09 *Marcuccio v Commission*, and, second, compensation for the damage allegedly suffered by the applicant.